

**Council Meeting**  
**May 12, 2018**  
**Qalipu Community Room, Corner Brook**

A Regular meeting of Council was held at the Qalipu Community Room in Corner Brook on May 12, 2018. The meeting began at 10:00 AM. The Honour Song was shared to acknowledge the women on Mother's Day weekend.

Introductions around the table and membership.

Many members were in attendance to hear a presentation from DFO regarding Aboriginal Fishing Rights.

Agenda: Black Bear Program, Enrolment Update, Election Update, DFO presentation

Agenda additions: QDC Update and Discussion re: Messiers Bridge in Burgeo.

Chief Mitchell gave reminder to all Councilors to hold Town Hall Meetings

The Band Manager announced that breakfast program donations have now been made in all Wards and a list of schools that benefited from the program will be published in the next newsletter.

### **Black Bear Program**

QFN has been working with the Canadian Armed Forces to promote this program. This program is for a youth basic training program in Ormocto, with a strong cultural integration. Person must be indigenous, aged 16+, with a minimum of a grade 10 education.

The deadline to apply for the Black Bear Program has been extended to the end of May.

Contact Monique Carroll [mcarroll@qalipu.ca](mailto:mcarroll@qalipu.ca) or Vickie MacDonald [vmacdonald@qalipu.ca](mailto:vmacdonald@qalipu.ca) for more information.

### **Enrolment Update**

Re: Wells/Wells decisions

Three main items:

- On the issue of the Supplemental Agreement, the judge ruled that the parties who signed the Supplemental Agreement were within their right to amend the Agreement.
- Self-Id: the judge ruled that it wasn't fair that some were able to sign a document declaring self-id before the Recognition Order (September 22, 2011), and for those who applied after the RO, they had to show identification that predated the Agreement's date of ratification (June 23, 2008). Same date should be used for all applicants.

- Appeals- everyone denied on Self-ID should have been given the right of appeal.

Brake was another recent case where the applicant tried to pursue a class action. This was denied by the court, they did not feel this was a case for class action.

There are other cases outstanding.

Chief Mitchell reiterated that this Council is not about driving people out or taking cards away. He said, “we welcome the opportunity to help people who have been left out of this process.”

Chief noted that there is much to be considered, analyzed and planned before knowing all the implications of these outcomes. We will communicate more information as soon as we are able.

Chief and Council discussed applicants living in the Mi’kmaq communities who should not have been assessed on the points system. Members who were assessed on the points system but should not have been.

A Councilor commented that this Agreement was created by the FNI, for the members of the FNI and the Mi’kmaq people of Newfoundland. He asked how many FNI members are now left out and, in particular, those who voted to ratify the Agreement in Principle.

Chief Mitchell commented that he continues to work toward fair treatment of community members who were assessed on the points system, and grassroots people who voted to create the First Nation and have now been found ineligible for membership in it.

Council requested a strategy session before the Implementation Committee meeting on the 24<sup>th</sup>.

### **Election Update:**

Chief and Council reviewed a Briefing Note from the Election Committee regarding the 2018 election and next steps.

The Qalipu Election is fast approaching, and a proactive approach is needed to achieve any meaningful improvements to the way Qalipu administers Elections. Changes to the Custom Rules Governing Qalipu Mi’kmaq First Nation Band Elections require an Amendment Vote and ratification by membership.

It was recommended that Council approve the Election Committees intention to seek membership approval to implement Evoting (telephone/internet voting option). Evoting means:

- Every eligible voter will receive a Personal Identification Number and Voter Instruction Letter in the mail via Canada Post.
- Voters will be given a 5-10-day period to vote from the comfort of their home via the internet, wireless devices OR mobile or landline telephones.
- Voters will be provided with the contact number for a Voter HelpLine so that they have someone to contact if they have any trouble casting their vote.

- QFN may choose to establish several “polling stations” regionally so that individuals who would prefer to vote in person may still do so using their Personal Identification Number.
- The Band will accumulate substantial savings. Approximate savings of \$60-70,000 per Election can be expected.
- A trusted and experienced third party will facilitate Elections, reducing administrative congestion and complications during Election time.
- Results will be clear, and timely.
- Every eligible voter will have the opportunity to vote regardless of their geographic location, ability to travel to polling stations or level of engagement.

Council accepted the plan and gave direction for staff to immediately begin working toward explaining and presenting the benefits of this option to membership, rewriting the Custom Rules and preparing the Amendment Vote in order to adopt the proposed changes at the polls in 2018, to come into effect in 2021.

### **Acknowledgement**

Congratulations to Arlene Blanchard White who recently led a water ceremony during the appointment of Judy Foote to the position of lieutenant-governor.

### **Human Resources Policy**

A committee was struck to review and make suggestions for changes to the human resources policy. Recommendations will be brought before Council to approve in the near future.

### **Accountability Framework**

The draft Accountability Framework was brought before Council for review.

One Councilor noted that he would like to see examples of the code of conduct, code of ethics, conflict of interest on the Qalipu website.

### **Conne River Visit**

Team members from Community Development and Education and Training went to Conne River to meet with their counterparts and discuss opportunities for collaboration.

It is important that we work together collectively as the Mi'kmaq people of Newfoundland. There are many education, training, and other partnership opportunities.

The Indigenous Regional Organization being pursued by Miawpukek and Qalipu First Nation will also advance joint initiatives. Representatives will meet in the near future.

### **Identify Art Festival**

One Councilor shared reflections on the Identify Art Festival. He said that a group of indigenous people had created a festival called Identify. Organizers of the festival asked, and were granted

permission, to make the Government House the focal point of ten-day celebration. Jerry Evans curated an art display there, coordinated also through The Rooms. Government House took down colonial art and hung indigenous art. New lieutenant governor requested that the work stay in place at this time. The festival will move across the island to give people the opportunity to view.

## **Membership Q & A**

One member was concerned about losing his card when he heard the Chief reference that 10,500 people were notified they would lose their cards.

The Chief reassured members in attendance that notifications had already been made and no new notifications of this kind were forthcoming.

One member commented that its heart breaking that family across Canada will lose their status.

Chief Mitchell noted that he had made representation to Canada on something called the sibling rule. Using the Conne River agreement as a precedent, we have talked to Canada about applying this to our situation. If successful, this would mean acceptance into the band for siblings of Founding Members.

If these people Founded the band in the first place, how can the band go on without those people? How can people who founded the band be removed?

A member asked about the recent court ruling and what people could expect.

Judge gave a decision but didn't give a guide on how to interpret and implement. It will take some time to analyze and determine next steps.

One member requested an update on the Qalipu Business Park.

Chief commented that there was a meeting held recently with the mayor, and that the city is on board in Corner Brook. There is a committee, including provincial and federal government representation. The next step is to get funding piece in place. We are planning to pull committee together for meeting in June.

## **DFO presentation re: Aboriginal Fishing Rights**

Representatives from DFO were on hand at the meeting to present information regarding Aboriginal Fishing Rights. Area Chief Resource Management, Laurie Hawkins and Area Director Western Southern and Straits John Lubar presented.

Key points:

- Maintain good communications with the QFN and develop a good working relationship.
- DFO cannot give fishing rights, these come from the constitution, the courts.

- DFO can offer programs and services that relate to fishing. We can partner and work together.
- The government of Canada is committed to reconciliation, nation to nation relations, respect for rights etc.
- DFO has a relationship with five Indigenous groups in the Newfoundland and Labrador region.
- Relationship with Qalipu (formerly FNI) was established in the early 1990's. Very positive with regular communications.
- Qalipu First Nation has the opportunity to pursue Communal Fishing Licenses. These are not individual licenses, they are owned by the Band. QFN would designate members to fish them. Communal Fishing Licenses are guided by the *Aboriginal Communal Fishing Licensing Regulations*.
- With Communal Fishing Licenses, the Band would have a certain allocation that it draws down from. There are Atlantic quotas, and from that comes allocation for indigenous groups. An amount is subtracted from the Total Allowable Catch (TAC) and given to indigenous groups. The way the QFN would allocate that quota would be up to QFN.
- Programs Qalipu offers in conjunction with DFO
  - Aboriginal Fishery Strategy (AFS) (Includes the fishing licenses that we administer)
  - Aboriginal Aquatic Resource and Oceans Management (AAROM)
  - Aboriginal Fund for Species at Risk (AFSAR)

Noted:

Just under 700 groundfish licenses on the west coast.

500 fishers involved in halibut

That leaves that about 200 that are not cross fishing in the halibut industry.

Opportunity for expansion for QFN.

Expanding into traditional areas like fishing.

### **Members in attendance were given the opportunity to comment and ask questions**

Q. can a local band be given quota like QFN?

A. Individual bands cannot skirt Qalipu to access the quota.

Q. If our Chief makes an application for communal fishing rights, are we going to get it?

A. This is the first step, to make the application and the formal request into the regional director of Newfoundland. By early June we hope to have our application put together. It's a large application, like an extra chapter on our AFS agreement.

Q. What species do we need to be talking about when we go after this right?

A. Cod, halibut, squid, scallop, lobster, crab, herring, trout, seals. Any species that's being fished in the Bay of Islands

Q. What does DFO think has happened to the salmon? The commercial fishery has been shut down, yet the numbers still went down.

A. DFO talked about death at sea. Something is happening out the ocean. A member suggested that the problem is too many seals.

### **QDC Update**

May 22-orientation session for the new Board of Directors

Operations plan draft will be emailed out to council next week. The document addresses investment parameters and so on.

To become fully arms-length as intended, the process is to bring the directors in, do the orientation, then the manager will take the reins. The council led QDC planning committee will not be done its work until the Council approves the operating plan.

Qalipu is the sole shareholder of the QDC. But once everything is established we will not be involved in the day to day business.

Agricultural development potential update.

Secondary food production.

### **Messiers Bridge**

A Councilor spoke to an issue in the Flat Bay Ward, the Messiers Bridge flooded, fell down. There was a discussion re: can we help the community by writing proposals or other support?

Government doesn't seem to have interest in helping them.

The purpose of the bridge is primarily for elderly people, a shortcut for people walking. It's also a historical trail.

They can write a letter and ask for a donation.

But primarily, to have us help with proposal writing.

Historical grants

Flat Bay Ward Councilor to discuss with local Chief Greg Janes.

Want to make sure the bridge is done right. Liability, who is responsible? If it's the town, the town needs to make the application.

### **Next Meeting of Council**

A meeting will be held on July 21 in Grand Falls-Windsor. To register please contact Alison at [awhite@qalipu.ca](mailto:awhite@qalipu.ca)